

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION

CHRISTOPHER FAIN, *et al.*,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

WILLIAM CROUCH, *et al.*,

Defendants.

CIVIL ACTION NO. 3:20-cv-00740
HON. ROBERT C. CHAMBERS

**ORDER DISMISSING AFFORDABLE CARE ACT CLAIM
AGAINST DEFENDANT TED CHEATHAM**

This matter comes before the Court on the joint motion by Plaintiffs Brian McNemar and Zachary Martell, and Defendant Ted Cheatham, to dismiss Mr. McNemar and Mr. Martell's claim in Count II of the complaint against Defendant Cheatham under Section 1557 of the Patient Protection and Affordable Care Act, 42 U.S.C. § 18116.

IT IS HEREBY ORDERED THAT:

1. The claim by Plaintiffs Brian McNemar and Zachary Martell against Defendant Ted Cheatham in Count II of the complaint, under Section 1557 of the Patient Protection and Affordable Care Act, 42 U.S.C. § 18116, is dismissed. This order does not affect any other claim in the case.

2. Each side will bear its costs and fees as to this claim.

IT IS SO ORDERED.

Dated: _____

Honorable Robert C. Chambers
U.S. District Court Judge